

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL C. BOLIN,

Petitioner,

v.

**VINCENT CULLEN, Acting Warden of San
Quentin State Prison,**

Respondent.

1:99-CV-05279-LJO

**ORDER GRANTING RESPONDENT'S
MOTION FOR PRE-HEARING
DISCOVERY**

**DATE: December 3, 2012, VACATED
COURTOOM 4**

On November 16, 2012, Respondent filed a Motion for Pre-Hearing Discovery Pursuant to Section 1.b. of the October 9, 2012 Scheduling Order for Evidentiary Hearing. (Doc. 295.) On November 26, 2012, Petitioner filed a Response to Respondent's Motion for Pre-Hearing Discovery. (Doc. 300.) Petitioner does not object to Respondent's request to depose Charles Soria and William Cater. Nor does Petitioner object to issuance of subpoenas duces tecum to attorneys Soria and Cater directing that they produce any and all records, papers, documents, files and notes in their possession relevant to litigation of Claim C2, if any, at the time and place of their depositions.

Accordingly, Respondent's Motion for Pre-Hearing Discovery is granted. Respondent shall pay Petitioner's attorney, Robert D. Bacon, for his travel expenses, subsistence expenses, and fees to attend the depositions of Messrs. Cater and Soria. The hearing on this matter set for December 3, 2012, is vacated.

IT IS SO ORDERED.

Date: November 29, 2012

/s/ Lawrence J. O'Neill
LAWRENCE J. O'NEILL
United States District Judge